

February 25, 2022

Via ECF

The Honorable Stewart D. Aaron
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *In re ACTOS Antitrust Litig. (1:13-cv-09244-RA-SDA)*

Dear Magistrate Judge Aaron:

We write on behalf of all parties to the above-captioned litigation in accordance with the Court's January 10, 2022 Order directing the parties to file a joint letter regarding the status of discovery. (ECF No. 350.)

Since our last status letter (ECF No. 349), the parties have begun making rolling document productions. We anticipate that all document production will be substantially complete by the Court-ordered date of March 18, 2022. (ECF No. 341.) Plaintiffs also continue to pursue discovery from non-party generic pharmaceutical companies; those entities have produced additional discovery responses, which Plaintiffs will serve on Defendants in the coming days.

The parties have reached agreement concerning the production of Defendants' non-electronic documents and the timeframe associated with certain requests for production. We continue to negotiate the scope of Plaintiffs' interrogatories and Defendants' requests for production, and have also begun discussions regarding the form and format of privilege logs.

Unless the Court desires otherwise, the parties propose that we submit a further report on the status of discovery by April 15, 2022. We appreciate Your Honor's attention to this matter.

Sincerely,

/s/ Steve D. Shadowen

Steve D. Shadowen
Counsel for the Proposed End-Payor Class

/s/ R. Brendan Fee

R. Brendan Fee
Counsel for Defendants

/s/ Thomas M. Sobol

Thomas M. Sobol
Counsel for the Proposed Direct Purchaser Class

cc: Counsel of record (via ECF)